IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1303 (S/S) of 2005

Sri Deoki Nandan Joshi,
aged about 49 years,
son of late Sri Shiv Dutt Joshi,
resident of Irrigation Construction Circle,
Almora. ……Petitioner.

Versus.

1. The Chief Engineer, Irrigation (Uttar) Department Haldwani, District- Nainital.
2. The Secretary of Irrigation Department, Government of Uttaranchal, Dehradun.
3. The Superintending Engineer, Irrigation, Construction Circle, Almora.
4. The executive Engineer, Irrigation Department, Construction Circle, Almora.

…….Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri K.C. Joshi, learned counsel for the petitioner and learned standing counsel, who has accepted notices on behalf of respondents.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

Petitioner, who is working as Assistant in the office of Executive Engineer, Irrigation Department, Almora has challenged the transfer order dated 28.06.2005 passed by respondent no. 1.

Learned counsel for the petitioner has submitted that earlier the Chief Engineer, Dehradun has transferred the petitioner from Almora to Nainital vide order dated 30.06.2003. Aggrieved with the said order petitioner has

made a representation stating therein that his mother is aged about 79 years and she cannot move from Almora to Nainital. Consideration the fact of the representation, the Chief Engineer, Dehradun by order dated 04.07.2003 stayed the operation of transfer order dated 30.06.2003.

Again on 28.06.2005, petitioner has been transferred from Almora to Haldwani by respondent no. 1 and petitioner has submitted the representation dated 07.07.2005 before Superintending Engineer but the same is still pending before him.

During the course of argument, learned counsel for the petitioner has confined his prayer that respondent no. 1 may be directed to decide petitioner's representation.

The prayer is innocuous. Accordingly, I direct the respondent no. 1 to decide the petitioner's representation dated 06.07.2005 within a period of two weeks' from the date of production of certified copy of this order.

With this direction the writ petition is disposed of accordingly. No order as to costs.

(M.M. Ghildiyal, J.)

September 08, 2005
SKSharma